

who listen to this find it at least somewhat informative.

Mr. Speaker, I yield back the balance of my time.

TAXES, ENERGY, AND OTHER ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, these are interesting times we live in, and I've appreciated my friends, my doctor friends. We have got two physicians who would certainly like to help heal America, but we have people in powerful positions in the Senate, as well as the White House, that don't appear to be interested in their prescriptions. I sure am, and I appreciate their observations. Also, they alluded to some of the energy issues before us in the country right now, and that's certainly worth noting.

First, I want to address something that we are hearing that the President, over and over and over, he is spending millions and millions of tax dollars running around the country telling people that the cure to what ails us and the cure to all unfairness is the Buffett rule. We are told that since Buffett may pay a lower percentage than his secretary, Warren Buffett and the President are saying we need to tax the wealthy more.

We found out the President pays, apparently, a lower tax rate than his secretary, 20 percent compared to a higher percentage that his secretary pays, and it leaves some of us baffled. If somebody really feels that it's fairness or a moral issue for Warren Buffett and the President to pay more taxes than their secretaries, then at least have the morality to do it. Don't come to Congress and say we demand you pass laws to force us to do the morally right thing because we're not going to do the morally right thing unless Congress passes a law making me, Warren Buffett, me, President Obama, do the right thing. We can't control ourselves and make ourselves do the morally proper thing, the fair thing, unless Congress passes a law.

Really? Is that what we have come to—that the leader of the free world just down Pennsylvania Avenue has to have Congress pass a law to get him to do what he says is the moral and fair thing to do? Come on. Are we in that bad a shape now?

I have had one of the smarter economists in the country, Art Laffer, Ronald Reagan's economic adviser—what a great guy. Served us good spaghetti and meatballs at his home in Nashville. I personally got to try them out. Wonderful family, delightful family, a brilliant economist.

I have had him explain to me how anybody who says we're going after the rich, we're going to go after the rich, and we're going to make them pay

their fair share, is probably not being honest. They're just probably not being honest, because if they think through their proposal, if they will look at current history, if they will look at immediate past history and long past history, what they find is this. If you're a union worker, if you're a mechanic, if you're working on an oil well somewhere, if you're working as a waitress, you're working in a restaurant, you're working in a pharmacy, you're working in any of millions of businesses across America, and you're not rich, you're part of the working middle class, you cannot move if you get taxed a higher amount because you are reliant on that job.

Taxes, no matter what kind of tax you put in place, it's most likely only going to affect those who are in the middle class, no matter what else you do, because only the wealthy are not tied to a restaurant, to a car company, to an auto manufacturer, to an auto repair place, they are not tied to those. They can own them, and they can live in the next State or the next country, but they don't have to actually live at the place of business they're making money from.

When you go after the wealthiest in America and want to make them do the morally fair thing because, without Congress passing a law, these wealthiest among us can't make themselves do the moral and fair thing, according to their own words—Gee, we can't do it unless Congress makes us—what you do is tell the wealthy, we're going to slap a big old tax on you, and the wealthy can say, no thank you. I look stupid, perhaps, but I'm not that stupid. That's how I have either gained or been able to hold on to my wealth. So I'm moving. I'm voting on where I want to live with my feet, and they pick up and they go to where there are less taxes.

We've seen it in the wealthiest moving from country to another country, or island, or buying an island. We have seen that repeatedly. If the government says, gee, well, we'll outsmart the wealthiest among us. They've moved to another country, so we'll figure out a new way to go after the wealthiest. And every time it fails to work.

So after a while you get the idea, wait, let's look historically, every time a city, state, or nation goes after the wealthiest people in the world to make them pay higher taxes, unless the whole world collaborated at the same time to make it happen, they will simply move.

□ 2130

The middle class cannot do that. The middle class does not have that luxury. If you're very wealthy and gas goes to \$4 or \$5 a gallon, it's an inconvenience and you can't be tied up with trivial details like gas going up \$1 a gallon or \$2 a gallon or, like it has under this President, go from \$1.80-or-so up to \$4. And now we're heading toward \$5. And

in some places I have seen \$5—certainly, over \$5 for some time this year in some of the premium gasoline lines.

The wealthiest, they're not really bothered. It's an inconvenience. They can choose to live in an estate out in the country. They can choose to live in a town home worth millions in the middle of town, or they can choose to live on an island. They can choose to live anywhere. Because of the Internet, the telephone, Internet meetings, the wealthiest among us can do their business from anywhere.

So it becomes very clear that the only reason somebody really intelligent that understands what is going on and is willing to look at historical precedent, anybody that's really going to be fair, will realize the only reason they would say we're going after the wealthiest among us is for political gain, because they're going to drive them out of the country otherwise, or drive them out of the State or city where the taxes are going to be raised dramatically.

The thing to do that's fair for those of us who want those making more money to pay more and those who are making less money to pay less, those of us that feel that way, many of us have begun to say, To do that, let's have a flat tax. Some, like Steve Forbes, have been saying it for a long time.

The Heritage Foundation has got a new flat tax proposal that looks to have wonderful merit. There are a number of flat tax proposals. Steve Forbes was at a 17 percent flat tax, it doesn't matter how much you make. In my conversations with Art Laffer, he said you can have a flat tax and actually even be lower than 17 percent—I'm looking forward to getting the full details—and have two deductions, one for home mortgage interest and one for charitable contributions. I'm not talking about when you give underwear to some charity and say, Congratulations, you've now got my undergarments. I'm talking about real charitable contributions.

Make those things deductible, but otherwise eliminate all the loopholes, whether it's 12, 17, and the economy would explode. There would be more jobs available. And at this time when there are so many that are just on the edge of desperation, when they don't know what they're going to do, they can't keep paying \$4 a gallon for gas, for those who have been looking so long, the millions that are out of work because they just got tired of looking so they're not counted in the unemployment numbers.

So we realize, gee, the unemployment is probably much, much, much worse than the administration is telling folks. For those folks, I would like to provide a little hope. It won't be under this administration; but if we have a different President and we get a different majority in the Senate, it truly ought to be spring time in America, figuratively, as it is literally right now.

We now know, many of us, we can be energy independent. Seven years ago, when I got to Congress, I didn't think so. The natural gas we've found is extraordinary. And how have we done it? The technology has gotten so good at slanting holes, the technology has gotten so good in sealing the hole and fracking a formation. And for those that understand how it works, if you do not have a sealed formation there, and you frack, then you have lost the formation. There will be no pressure to bring the oil or gas up.

We've also had hearings in Natural Resources—and Chairman DOC HASTINGS has done a great job there—we've had hearings and we've discussed a lot of these things. And we have some Chicken Littles in the Interior Department, Energy Department, and the EPA running around saying, gee, hydraulic fracking keeps polluting drinking water. They've shut wells down. And each time when they've brought in the scientific study to actually analyze—because there has been some drinking water polluted by something—but when they analyze, they find there is not anything that was utilized in the hydraulic fracking process that was able to make its way through the thousands of feet of rock formation to get to the drinking water and that there is nothing in the polluted drinking water that could possibly have come from the fracking.

Yet this President keeps saying, I'm for all of the above. And the best I can figure is when he says I'm for an all-of-the-above energy process, it means: I'm for anything we don't get out of the ground. So we'll give hundreds of millions, actually billions, of dollars to dear friends who have bundled money for the President's reelection and original election and we'll give them those billions of dollars and say, Go try to make solar panels, even though it's not financially feasible. It's not a viable enterprise. Go do it and I will help you by giving billions of dollars—42 percent of which we're having to borrow. We'll give them all that money.

Some day we should be able to use solar energy; but for heaven's sake, we should not be depriving our Social Security funds of money while this President is giving away billions of dollars to cronies for energy ideas that don't work and that are not feasible and that are bankrupting America. And yet that's what's been happening. A 2 percent payroll tax cut for workers to divide Americans.

Seniors have been told, You don't have to worry. This Democratic administration is going to make sure we take care of our seniors. And the very times that's being said, they are gutting the Social Security trust fund. Even though it's IOUs going in there, there's Social Security tax money that has been coming in since the 1930s in enough sufficiency to pay for the outgoing checks. It was not supposed to be for many years that we were supposed to reach that point where there was

more Social Security money going out than Social Security tax money coming in.

Well, this President doubled down, and in what is a divisive—I guess, to use his terminology—divisive, dismissive gesture from this administration, we have undercut our seniors. This administration has been pushing to gut the Social Security trust fund. And it has done so.

Now, the friends in the mainstream media, trying to cover for the President, are not talking about the fact last year there was 5 percent of Social Security payments that we didn't have money to pay from the Social Security trust fund payments coming in. So we had to borrow around 42 percent of the rest, and we had to take tax money to make up the rest. And there's projections that though it was a 5 percent shortfall last year, it will likely be 14 or 15 percent this year. That's not a good road to stay on.

□ 2140

It is a road to Greece. It is a road that will so undercut our senior citizens, who deserve better from every administration, including this one. Seniors have been hurt by this administration, 5 percent last year, 15 percent this year, and if we don't get a different administration and a different majority in the Senate, it's going to be worse after that. It will be 45 percent the next year. If it triples in 1 year, it could triple again. We're in trouble if we continue the policies of this administration.

Now, since hydraulic fracking has brought us 100 to 300 years of natural gas, even at vastly expanded rates of usage, we could be energy independent, we could put not merely city buses on natural gas, but move cars to natural gas. At the same time, the Bakken play up in North Dakota has found a huge amount of oil we didn't realize we had. And in northeast Utah, northwest Colorado and southwest Wyoming, we are told there are tremendous amounts of energy. We're told there's clean coal technology.

And what's the answer from this administration? Let's shut down any use of coal. Why? Because this administration has "all of the above" as their energy policy, which means they're not going to use coal because it comes from underground.

We in the United States have been blessed beyond measure. We have more natural resources and more energy than any nation in the world. China, Russia, you name it—we've got more natural energy than anywhere. And this administration has continued to put our energy off limits. The second-largest coal deposit in the world is in Utah, we are told, and it was put off-limits by President Clinton.

This administration, of all the campaign promises you would hope the administration would break, you would hope they would break the promise to see energy prices "necessarily sky-

rocket." I would love to have seen that promise broken, yet that seems to be one of the very few that's been kept. Energy prices have necessarily skyrocketed. And then we find out today, because hydraulic fracking has delivered the ability for this Nation to become energy independent, today, the EPA has declared war on hydraulic fracking.

People are desperate. The rich—we've seen how this works. The President calls the wealthiest among us, the Wall Street folks "fat cats." All they have to endure is a little name calling from the other end of Pennsylvania Avenue, and in return, they get richer than they've ever been. Most people can endure a little name calling by an individual when they know the individual is going to see that they're wealthier than ever. Wall Street has done pretty well under this administration. It's done a lot better than most of America.

Americans deserve better. The President says he's going after Big Oil, declaring war on Big Oil. Well, this is one of the few areas where the President actually does have a substantive plan to go after what he calls "Big Oil." Well, we've learned from the way Wall Street has been handled, call them names but make them richer than ever. Say you're going to war against Big Oil, and what happens? We get this proposal in writing from the President, this is his Jobs Act, and subtitle D of the President's job act is entitled, "Repeal Oil Subsidies."

Well, that word is extremely disingenuous. The President uses it all the time, but the word, if you look it up, means a grant or gift of money. There is no grants or gift of money. There are tax deductions for expenses. So he says he's going after Big Oil, but if you look at the specific deductions that he now has in print that he is going after Big Oil with, what do you find? You find out these deductions don't help Big Oil companies. It's so marginal, it's a drop to them. Who it will devastate and put out of business are the independent oil and gas operators who drill 95 percent of all the oil and gas wells in the continental U.S. There is a repeal in here by the President of the deduction for intangible drilling and development costs in the case of oil and gas wells. There is a repeal of the percentage depletion for oil and gas wells, there is a repeal of the deduction for injectants, and there is a repeal of the oil and gas working interest exception to passive activity rules.

Now, if anybody is interested in really finding out the truth, they can go to major oil companies and ask them, would these repeals of these deductions really hurt you as a major oil company in the world? And the answer would be, no, not really. You can go to the accountants, as I have, for independent oil and gas operators and say, if these are repealed, would it affect independent oil and gas operators who drill 95 percent of the oil wells in the continental U.S.? And the answer is, it will

devastate them. Not only is he going after the deductions that keep them afloat, they're going after the investment in oil and gas wells by the mainstream public.

Now, if you're British Petroleum or Exxon, you don't put out a proposal that says, we're drilling a well, and here's the proposal, here's the geology, here's the other wells in the area, here's what we think it will do. And if you invest X amount of dollars, then we will give you X percentage amount of the working interest in this well. That's the kind of proposal independent oil and gas companies have to make to get investments for people to invest in their oil well. If they hit a gusher, hit a huge well, then those who invest and take a percentage of the well will do very well. If they hit a dry hole, then they lose money. And when you invest in a dry hole and it costs you money, you would hope you would be able to deduct your expenses of the investment that failed.

What this President is doing not only is going to destroy the independent oil companies by taking away deductions that keep them afloat and keep them able to keep drilling another well, he is going after their investments.

So once you begin to see these specifics, you realize—and there are some other things in here, repeal marginal well production, repeal of enhanced oil recovery—when you see the specifics, you realize, oh, wow, maybe he doesn't know that he will destroy oil and gas independent operators. Maybe he doesn't know. But it doesn't take a genius to realize if you put oil and gas operators out of business who are the independents, who are not big enough to have all the employees they need to do the drilling, who have so many subcontractors who go out and eat and go to the entertainment places and they go invest in things around town, and they go buy clothes—those people, those subcontractors, their subcontractors, all of those people will be without anything to do because this administration says he's declared war on major oil, but instead, it's really a war against independents.

If he stops 95 percent of the drilling for oil and gas in the continental U.S., then what happens to major oil? You've eliminated all of their competition among the small independents. Well, what does that mean? Well, there are only a small number of massive international oil and gas companies comparatively, and you've wiped out their competition in America. It means they will charge more for gasoline, more for diesel, and there's nothing we can do about it because they're the only ones that have any energy.

□ 2150

Right now, before this President finishes driving or trying to put independents out of business, we've got to stop this train wreck that's coming.

This should be springtime in America. It should be a time of renaissance.

People shouldn't have to pay \$4 a gallon. And as soon as this President takes substantive actions, just to announce that he's going to take substantive actions, not to declare war on hydraulic fracking as they have now, not to declare war on oil companies in North Dakota because there have been eight mallards that died that had some oil on them and, therefore, they have the Justice Department under the President's thumb who is prosecuting the oil companies for violations of the Migratory Bird Act even though they've got windmills they support that are chopping them up by the thousands and thousands.

No, don't go after the windmills. They're above. So when the President says he's for all of the above, that includes all of the wind being generated here in Washington and other places where there are windmills that are driven by the hot air.

It's time to start saying what we mean, so that when this President tells the leader of Israel, "I have your back," the leader of Israel doesn't realize he's got to put on something that will stop a knife coming from the back. It's time for our allies to know we support our friends, and we're going to stop supporting and trying to buy off our enemies. It's time to bring peace and prosperity back to the continental U.S., all 50 States, all our territories, by truly having an all-of-the-above energy policy. And if we want to pursue renewables, don't be letting the Social Security trust fund or the tax money dry up and leave seniors so vulnerable. Don't take away \$500 billion from Medicare and hurt the seniors like that as ObamaCare has done. Don't do those things.

If you want to go spend billions giving it to your friends in solar energy, for heaven's sake, let's start leasing the Federal land like it used to be done, and then use 25 percent royalty, use part of our royalty, to throw away on the President's friends, not be borrowing from China, not be taxing people to give to his buddies, and we can return to springtime in America.

Thank you, Mr. Speaker. I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. CANTOR) for April 16 and today and the balance of the week, on account of medical reasons.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 18, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5658. A letter from the Director, Policy Issuances Division, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Changes to the Schedule of Operations Regulations [Docket No.: FSIS-2010-0014] (RIN: 0583-AD35) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5659. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus pumilus* strain GHA 180; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0536; FRL-9343-1] received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5660. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Private Transfer Fees (RIN: 2590-AA41) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; Regional Haze [EPA-R01-OAR-2010-1043; A-1-FRL-9652-1] received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Amendment to HFO-1234yf SNAP Rule for Motor Vehicle Air Conditioning Sector [EPA-HQ-OAR-2011-0776; FRL-9651-3] (RIN: 2060-AR20) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2010-0873; FRL-9653-3] (RIN: 2060-AH23) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5664. A letter from the Assistant Director, Policy Division, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Iranian Transactions Regulations received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5665. A letter from the Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's final rule — Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities; Swimming Pools [CRT Docket No.: 122; AG Order No. 3326-2012] (RIN: 1190-AA68) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5666. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, U.S. Customs and Border Protection, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCBP-2012-0007] (RIN: 1515-AD86) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5667. A letter from the Chief, Publications and Regulations Branch, Internal Revenue